

FREDERICK COUNTY BOARD OF APPEALS MEETING MINUTES FOR

Thursday, May 23, 2013

Alan Duke, Chair, called to order the regular meeting of the Frederick County Board of Appeals ("Board") for Thursday, May 23, 2013 at 7:00 p.m. in the 1st Floor Hearing Room in Winchester Hall. Present were Carole Sepe, John Capoccia and Mike Bowersox. Also present were Mr. Michael Chomel, County Attorney, and Community Development Division staff Larry Smith, Zoning Administrator, and Craig Terry, Planner.

Official Minutes of the Board of Appeals' meetings are kept on file in the Community Development Division.

Introduction

The Chair requested that all cell phones be turned off.

Approval of Minutes

On a motion from Mr. Bowersox, seconded by Mr. Capoccia, the Board approved the minutes of April 25, 2013. (Yea 4, Nay 0)

Rules and Procedures

The Co-Chair stated the rules and procedures for the hearing and swore in all persons who expected to testify at the meeting.

Cases

B-13-07 Robert J. Kline

An application was filed requesting a Variance of 35 ft. from the 50 foot stream buffer setback as per Zoning Ordinance Section 1-19-9.110 B)(3) in order to erect silos for grain storage, located on Smith Road, west of Rt. 15 - 15523 Smith Road, Tax Map 14, Parcel 112 – Zoned Agricultural.

Mr. Terry read the staff report. Mr. Smith read the agencies comments. The board members noted their observations during their scheduled site visit on Wednesday, May 15, 2013.

On a motion from Mr. Bowersox seconded by Mr. Capoccia, the Board unanimously granted the variance on the silos and added the variance to the existing pole building which is also within the 50 foot stream buffer based on criteria set forth in Ordinance Sections 1-19-9.110(B)(3). (Yea 4-0)

Closing

Being no further business, the meeting adjourned at 7:22 p.m.

Respectfully submitted,

Carole Jaar Sepe,
Recording Secretary

_____/s/
Alan Duke, Chair